

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**RICHARD COLE, BRADFORD COLE,
CARY JUSTICE, MICHAEL MASSEY
and DON WEGENER,**

**Plaintiffs, on behalf of the
themselves and all others similarly
situated,**

v.

**AMERICAN SPECIALTY HEALTH
NETWORK, INC.; AMERICAN
SPECIALTY HEALTH, INC.; CIGNA
CORPORATION, INC.; JOHN DOES A, B
& C; and JANE DOES A, B, & C,**

Defendants.

Case No. 3:17-cv-00013

Judge Waverly D. Crenshaw

Magistrate Judge Jeffery S. Fensley

JOINT MOTION TO CONTINUE CASE MANAGEMENT CONFERENCE

The Plaintiffs and Defendant Cigna Corporation, Inc. (“Cigna”), by and through their undersigned counsel, jointly request that the Court continue the initial case management conference, currently scheduled for March 6, 2017 at 10:30 a.m. (ECF Doc. 5), to March 28, 2017, at 1:30 p.m. All other aspects of the Order scheduling the case management conference (ECF Doc. 5) will remain the same.

There is good cause to continue the initial case management conference. Cigna is the only Defendant served in this action. Plaintiffs mailed waiver of service to Cigna on January 23, 2017, and Cigna executed that waiver on February 7, 2017. Defendants American Specialty Health Networks, Inc. and American Specialty Health, Inc. (jointly, “ASH”) have not been served. In the interests of judicial economy and conserving judicial and party resources, the parties agree that the case management conference should be continued until after such time as all parties have been served and have registered appearances. Additionally, though ASH has not

yet been served, lead counsel for ASH would be unavailable on the currently set March 6, 2017, case management conference date. To resolve these concerns, and subject to the Court's approval, the parties propose March 28, 2017, at 1:30 p.m. for the continued case management conference.

Accordingly, Plaintiffs and Cigna jointly request that the initial case management conference be re-scheduled for March 28, 2017, at 1:30 p.m. before Magistrate Judge Frensley, Courtroom 661, U.S. Courthouse, 801 Broadway, Nashville, Tennessee.

Respectfully submitted,

BUTLER SNOW LLP

By: /s/ T. Harold Pinkley

BUTLER SNOW LLP
T. Harold Pinkley, BPR 09830
Amanda Haynes Young, BPR 015472
Varlerie Diden Moore, BPR 031593
150 Third Avenue South, Suite 1600
Nashville, TN 37201
Email: harold.pinkley@butlersnow.com
mandy.young@butlersnow.com
valerie.moore@butlersnow.com

KIRKLAND & ELLIS LLP
Joshua B. Simon (*pro hac vice* submitted)
Warren Haskel (*pro hac vice* submitted)
601 Lexington Avenue
New York, New York 10022
Email: joshua.simon@kirkland.com
warren.haskel@kirkland.com
Telephone: (212) 446-4800
Facsimilie: (212) 446-6460

*Attorneys for Defendant Cigna Corporation,
Inc.*

LAW OFFICES OF J. HOUSTON
GORDON

By: /s/ J. Houston Gordon

J. HOUSTON GORDON, TN #7523
LYLE REID, TN #07779
AMBER GRIFFIN SHAW, TN #026337
Suite 300, Hotel Lindo Building
114 West Liberty Avenue
P.O. Box 846
Covington, TN 38019
Telephone: (901) 476-7100
Facsimile: (901) 467-3537
Email: lawjhg@comcast.net

Attorneys for Plaintiffs

35519525v1